

Town of North Smithfield Planning Board Meeting

Kendall Dean School, 83 Green Street

Thursday, January 3, 2013, 7:00 PM

The Chair called the meeting to order at 7:00 pm.

1. Roll Call

Present: Chair Dr. Lucien Benoit, Mali Jones, Dean Naylor, Gene Currie. Absent: Art Bassett and Gene Simone. Also present were Town Planner Bob Ericson and Town Solicitor Jim Lombardi.

2. Town Solicitor: Introduction of James Lombardi III Esq CPA

Mr. Ericson introduced the new Town Solicitor to the Board. Mr. Lombardi invited any members to contact him by email with questions on the procedures of the Board, including recusal issues.

3. Approval of Minutes: November 15 and December 6, 2012

Mr. Naylor made a motion to approve the minutes of November 15, 2012. Mr. Currie seconded the motion, with all in favor.

Mr. Naylor made a motion to approve the minutes of December 6, 2012, as corrected. Mr. Currie seconded the motion, with all in favor.

4. 20 Providence Pike consultation: Discussion with a potential developer regarding possible conversion of a steel fabrication plant and warehouse to trash baling and construction waste recycling. This consultation precedes any possible Major Land Development Project application.

Gerald Diodati was present to give information on a proposed development that would use a Flexus Baler system for baling solid wastes at a property located at 20 Providence Pike. He explained his proposal in great detail and asked the Board for their concerns and questions. In summary, Mr. Diodati has an agreement with the current owner of the property. This system compresses waste into 4'x4' bales, which weigh 1-1.5 tons each. These bales will then be loaded onto railroad cars and shipped to an out-of-state facility (Ohio, Louisiana, or Georgia). Proposed customers are municipalities from Massachusetts, businesses, and construction waste. The baling will take place entirely within the building. No materials will be stored outside, other than sealed bales in closed rail cars. Safety precautions will be taken to insure that hazardous materials are not accepted or are immediately cleaned up and disposed of properly.

The facility has a rail spur inside the building that will accommodate 3-4 cars. There is an additional half mile of rail spur outside of the building, where additional rail cars will sit while waiting to be filled. Once 8-10 cars are filled, the Providence & Worcester rail line will

take the cars away. Each rail car will hold 52 bales. It is Mr. Diodati's estimate that one shipment a week will take place. He estimated that 300,000 tons will be processed each year.

There will also be an outside wood recycling facility, which will be closed on 3 sides. All wood and lumber materials will be processed (ground) to be used in stove pellets. Eventually, the wood processing will be moved offsite. Mr. Diodati stated all the equipment has been OSHA certified and will not produce excessive noise. He also stated that there will be no smells coming from the facility, explaining that the time from the dropping of waste on the facility floor until the time it is baled is about 6 minutes. Construction materials will not be baled; rather, they will be loaded on to the rail cars and shipped. He also stated that a town employee will be present during operating hours as quality control (salary expenses to be reimbursed to the town by the company).

The facility will be a recycling/transfer station, not a licensed solid waste management facility. The hours of operation will be 7 am until 7 pm, followed by a 4-hour cleaning shift. The operating hours will consist of two 6-hour shifts, with 15-20 people working during each shift to sort the materials for baling. A full presentation will be prepared for a future meeting.

The Planning Board had a number of concerns that they would like to see addressed. Following is a summary of issues brought up by the

Board. Mr. Ericson stated that under the current use table, the transfer station use is not allowed, and no hardship in the land exists, so the use variance will likely not be approved. If the use table changes, the Zoning Board will need to approve a special use permit.

Board members were concerned with noise and dust from the operation. They also had concerns about the traffic in and out of the facility, especially with the number of trucks idling outside in the shared driveway while waiting to unload the waste. The Board will require current, stamped engineered drawings, along with a current traffic analysis that addresses trucks idling during peak periods. The Board is concerned with the processing of hazardous materials and potential safety issues. The Board also asked for more information on specifics on the process, including the baling and sorting system, and time periods for filled rail cars sitting on the property. In addition to trucks idling in the shared driveway and along Industrial Drive, the Board is concerned about truck traffic on Providence Pike and would like to be sure that trucks would only use Industrial Drive to travel to and access the facility.

5. Interstate Reliability Project: Discussion, vote, or other action regarding an advisory opinion to the RI Energy Facilities concerning National Grid's proposed electrical transmission upgrades through Burrillville and North Smithfield.

Mr. Ericson stated that he had planned to draft an advisory recommendation for the Board, but that the information he needed came in too late for him to get it done in time for this meeting. The Board discussed screening and landscape mitigation for 14 homes that will now have direct views of the right-of-way due to the National Grid transmission upgrades. Representatives from National Grid were present to speak to the Board and informed the Board that the company has an outreach and landscape mitigation program in place with funds for shrubs, fences, or any other screening materials. They have been in touch with and are working with abutters whose views have been affected by the work and clearing of the landscape.

Mr. Ericson stated that National Grid will be going before the Zoning Board and the Town Council in the near future so there will be plenty of opportunity for public comment. The Planning Board's recommendation is not due until April, so there is plenty of time for reviewing this issue.

At this point in the meeting, Mr. Ericson stated that he and Mr. Lombardi had agreed that when the Board completes agenda items that may require legal opinion, Mr. Lombardi would leave the meeting. Before he left, the Chair asked if anything could be done about removing the partition or at least the section of the partition that is in front of the exit door in the Kendall Dean auditorium. He also suggested that each meeting be opened with a statement of where the exits are located. Mr. Ericson told the Chair that the fire marshal

had approved the partition's location and stated that it meets fire code. Mr. Lombardi said he is unsure of what he can do other than inform the Town Administrator and the Town Council about the complaint. Ms. Jones stated that she shares the Chair's concerns and suggested that at least the first panel of the partition be removed in order to give a clear path to the door.

6. Capital Budget requests: Discussion, vote or other action on capital budget requests from Planning, Public Works, Parks & Recreation, Water and Sewer.

Mr. Ericson told the Board that Mr. Bassett had sent comments on this item via email and read the email to the Board. He would like the town departments to submit their requests with detailed explanation on each request so the Board can make an informed decision on whether or not to recommend approval of the requests. The Board also discussed asking for requests to be submitted in a standard format, which they are willing to provide to each department.

Mr. Naylor made a motion that the Planning Board require that the town departments include information in their capital requests that explains the need for each request and that the requests be submitted in a standard format (which the Planning Board can provide if none exists within the department). Ms. Jones seconded the motion, with all in favor.

7. Planning update: Review of current events, meetings schedule.

Mr. Ericson explained a complaint made against the Town by the Valley Alliance over stormwater management issues at Dowling Village that had been reported in the Valley Breeze. Mr. Ericson stated that the RI Department of Environmental Management has jurisdiction for SWPPPs of more than 5 acres. The Town was not a party to the agreement negotiations, and the DEM did not note any violations.

The Chair asked if there has been any action taken to remedy the sewer issues on Andrews Terrace. Mr. Ericson stated that it is in limbo and he does not see a resolution in the near future. The Chair remarked that the town seems to care more about silt going into Booth Pond than raw sewage going into the Branch River.

Mr. Currie announced that he will be resigning from the Board in the near future as he will be moving to Florida in February or March.

Mr. Currie made a motion to adjourn at 8:54 pm. Ms. Jones seconded the motion, with all in favor.

Submitted by Angela Pugliese, 1/24/13